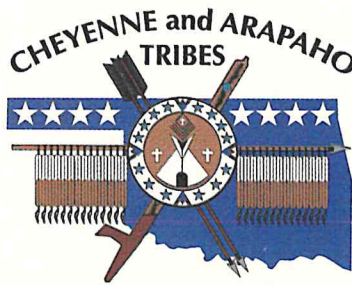


# OFFICE OF THE GOVERNOR

Reggie Wassana

Governor



Gilbert Miles

Lieutenant Governor

## EXECUTIVE BRANCH

### EXECUTIVE ORDER 2021-03

#### Extending the COVID-19 State of Emergency Declared In Executive Order 20-01

**I, Reggie Wassana, Governor of the Cheyenne and Arapaho Tribes,** by the authority vested in me by the Constitution, issue the following Executive Order:

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our Tribe and the State of Oklahoma. On January 31, 2020, the United States declared a public health emergency. The World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020. A national emergency and major disaster declarations for all 50 states and the District of Columbia soon followed. The COVID-19 pandemic continues to cause significant risks to public health and safety. On February 24, 2021, the President continued the national emergency that was first declared on March 13, 2020.

On March 19, 2020, I issued Executive Order 20-01 and declared a State of Emergency and on April 3, 2020, I approved and amended the state of emergency. After notifying the Legislature, I have issued additional executive orders extending the state of emergency every 30 days or as needed. In this Executive Order, the state of emergency declared in Executive Order 20-01 and extended in Executive Orders Amended 20-01, Second Amended Executive Order, Third Amended Executive Order, Fourth Amended Executive Order, Fifth Amended Executive Order, Sixth Amended Executive Order, and Executive Order 2020-08 Essential Personnel During Covid-19 Emergency and is referred to as the "Covid-19 State of Emergency."

As a result of the COVID-19 pandemic, all 50 states declared states of emergency, and a majority of them are in place today. In April 2021, the federal government again extended the nationwide COVID-19 public health emergency for an additional 90 days. This is because COVID-19 cases and deaths continue. According to the United States Centers for Disease Control and Prevention ("CDC"), over 36 million people have been infected in the United States, resulting in over 616,000 deaths. The COVID-19 pandemic also continues to take its toll on Oklahoma. We have seen over 500,000 positive COVID-19 cases and have now lost over 7,500 family members, neighbors, and friends to the virus in our state. As a Tribe, we have also lost many tribal members and elders directly to this virus as well.

I have noted in previous executive orders that the COVID-19 State of Emergency opens our toolbox, allowing us to take swift and appropriate action to protect the health and well-being of our families, communities, and businesses. During the past year, I have exercised executive



Taking Steps Forward, and Executive Order 2021-02 Amending Executive Order 2021-01 Safely Sunsetting Face Mask Coverings, which ended restrictions on businesses and gatherings, ended the face covering requirements in most settings, and rescinded the previous eight emergency executive orders in 2020.

Widespread vaccination has fueled our recent success and allowed us to lift restrictions. The COVID-19 State of Emergency has allowed us to utilize our Emergency Response Centers by working hand in hand with the Indian Health Service to establish a best-in-class vaccination program to reach not only tribal members and employees, but citizens all across Oklahoma. Our tribal employees are currently at a 75% rate in our progress toward full vaccination. With children as young as age 12 now eligible to receive the vaccine, emergency authority is particularly essential for the quick, equitable, and safe distribution of vaccine necessary to protect our community and economy. While vaccination progress across our Tribe is encouraging, emergency authority allows for nimble outreach to some of our programs and communities where rates are lagging. Our Covid Task Force continues to provide ongoing support to our tribal government, and—as the continued appropriation of significant public funds to fight the pandemic plainly shows—local resources remain inadequate to address the threat.

The Cheyenne and Arapaho Tribes have a responsibility for the health and safety of all employees and leadership must in turn make decisions that are in the best interest of all employees. Given the difficult nature of the COVID-19 situation and in particular the Delta variant, it has been determined to be in the best interest of all tribal members and employees that I order the extension of Executive Order 2020-01 with the exceptions and changes as follows:

**1. Effective Monday, August 16<sup>th</sup>:** No pow wows or social gatherings, including funerals, at tribal facilities until further notice. Tribal administration will reconvene at or around September 22<sup>nd</sup> to reassess the COVID situation. The use of the Tribal Emergency Response Centers for the general public will be for COVID related purposes only.

Tribal Offices will remain closed to the public. Essential services may continue with appointments only.

**2. Vaccination Incentives:** The planning process for the vaccination incentives is currently in progress.

- As an incentive, the Tribes will begin to provide \$200 Visa gift cards for fully vaccinated tribal member ages 12 and up in the next few weeks.
- The Covid Task Force will assist in verifying the authenticity of vaccination cards.

**3.** Paragraphs 1 and 5 of Executive Order 2020-01 do not apply to this Executive Order.

**4. Unvaccinated Employees:** If an employee has not yet been vaccinated but chooses to get a COVID-19 vaccination, they will have until September 6<sup>th</sup>, 2021 to get their first vaccination shot. If the employee does not get the vaccination shot by this date, the employee will be placed on leave without pay until the first shot is received. Employees will be responsible for assuring a



copy of the first and second vaccine shot documents are provided to the Tribes Department of Health Program.

If an employee chooses not to get a vaccine, the employee will be placed on leave without pay effective September 6<sup>th</sup>, 2021, until further notice and/or until a time that tribal leadership determines it safe for unvaccinated employees to return to the workplace. Employees are NOT being dismissed or terminated from their employment from the Tribes.

These decisions were made in part from information from the Tribes COVID-19 Task Force, Indian Health Services, and the Center for Disease Control.

Exemptions will be allowed for employees who can show they have a religious belief that goes against vaccines or if they can show that they have legitimate medical issues that would prevent them from taking the vaccine.

5. **Mask Mandate:** All employees must wear masks while in tribal buildings. Vaccinated employees may take off their mask if they are alone in an area or office. Noncompliance will result in disciplinary action of three days without pay.

6. **Employee Screenings:** All employees are required to be screened prior to reporting to work and wear the wrist band throughout the day. If an employee has not been screened and at work, they will be sent home for 3 days without pay.

7. **Work Related Travel:** In order to minimize the risk of exposure, out of state travel will be limited to official Cheyenne and Arapaho Tribal representation only. Official representation does not include is not elective trainings, conferences, or meetings. Employees who have not received one of the FDA approved vaccines will not be authorized to go on any work related travel.

8. **Employee Testing:** Vaccinated employees are **REQUIRED** to test every 30 days. Unvaccinated employees are **REQUIRED** to test bi-weekly.

9. **Rotating Staff:** Effective immediately, Executive Directors may rotate staff in an effort to reduce employee numbers and for social distancing purposes. Rotating staff will require employees to work from home, so please plan accordingly. **HOWEVER**, services must continue to be provided and **PHONES MUST CONTINUE TO BE ANSWERED.** Employees work phone numbers should be transferred to their work cell phone. COMIT can provide assistance with this task if necessary.

10. **Locked Doors:** Complex and Annex doors, with the exception of the front doors, will be locked effective immediately. Employees who do not have door fob keys should contact personnel.

11. **Office Hours:** Employee office hours will be from 9:00 a.m. to 4:00 p.m. effective immediately.

12. **Every other Friday:** Tribal offices will remain closed every other Friday until further notice.

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13. **Covid Task Force Guidelines:** Employees and visitors to tribal government facilities must continue to comply with the Cheyenne and Arapaho Covid Task Force Guidelines, as long as those guidelines remain in effect. This includes the Covid Task Force August 6, 2021 Guidelines regarding guidance on having vaccination cards accessible, meetings, testing and quarantining.

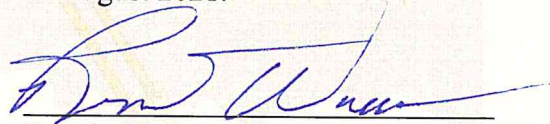
As noted, this Executive Order is effective immediately and shall supersede any provisions found in all previous Executive Orders unless otherwise noted. It remains in effect until the emergency declared in Executive Order 2020-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

**IT IS FURTHER ORDERED** that as soon as thereafter possible, this Order be filed in the Office of Records and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the Cheyenne and Arapaho Tribes, its departments, programs, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have  
hereunto signed this Order on this 12<sup>th</sup> day  
of August 2021.



Reggie Wassana, Governor  
Cheyenne and Arapaho Tribes